



The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 54

Shillong, Wednesday, June 3, 2015,

13th Jyaistha, 1937 (S. E.)

PART-III

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashoka Road,
New Delhi—110001
Dated the 3rd June, 2015

13th Jyaistha, 1937 (Saka)

NOTIFICATION

No.100/MEG-LA/01/2015.—WHEREAS, the seat of Shri Clifford R. Marak in the Legislative Assembly of the State of Meghalaya, elected from 59-Chokpot (ST) Assembly Constituency in the State, has become vacant on 28th February, 2015 by reason of his death; and

WHEREAS, a bye-election is to be held for the purpose of filling the vacancy so caused;

NOW, THEREFORE, in pursuance of sections 150, 30 and 56 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission of India hereby -

- (A) **Calls** upon the said 59-Chokpot (ST) Assembly Constituency in the State of Meghalaya, to elect, before the 2nd July, 2015 (Thursday) and in accordance with the provisions of the said Act and of the rules and orders made thereunder, a person, belonging to any of the Scheduled Tribes of the State, for the purpose of filling the said vacancy in the Legislative Assembly of the State;
- (B) **appoints**, with respect to the said election, -
- (a) the 10th June, 2015 (Wednesday), as the last date for making nominations;
 - (b) the 11th June, 2015, (Thursday), as the date for the scrutiny of nominations;
 - (c) the 13th June, 2015, (Saturday), as the last date for the withdrawal of candidatures;
 - (d) the 27th June, 2015, (Saturday), as the date on which a poll shall, if necessary, be taken; and
 - (e) the 2nd July, 2015 (Thursday), as the date before which the election shall be completed; and
- (C) **fixes the hours from 08.00 A.M. to 05.00 P.M.**, as the hours during which the poll shall, if necessary, be taken on the date specified above, for the election.

By order,

ANUJ JAIPURIAR,
SECRETARY
ELECTION COMMISSION OF INDIA



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PART-IV

GOVERNMENT OF MEGHALAYA DISTRICT COUNCIL AFFAIRS DEPARTMENT ORDERS BY THE GOVERNOR

NOTIFICATION

The 25th May, 2015.

No.DC.XXVII/Genl/58/2015/2. – In exercise of the powers conferred under Section 11 of the Khasi Hills Autonomous District (Nomination and Election of the Syiem, Deputy Syiem, Myntri, Basan and Rangbah Shnong of Bhowal Syiemship) Act 2008, here in after called the “Principal Act”, the Executive Committee, Khasi Hills Autonomous District is pleased to approve and notify the following Rules for effective implementation of the provisions of the said Act, namely: -

THE ADMINISTRATION OF BHOWAL SYIEMSHIP RULES, 2015.

PREAMBLE:

WHEREAS, Section 11 of the Khasi Hills Autonomous District (Nomination and Election of the Syiem, Deputy Syiem, Myntri, Basan and Rangbah Shnong of Bhowal Syiemship) Act 2008, has empowered the Executive Dorbar to make Rules for the day to day general and as well as revenue administration of the Syiemship in accordance with the prevailing customary practices and its administrative rights which have been in practice since time immemorial.

And whereas it is expedient to safeguard and preserve the prevailing customary practices of Bhowal Syiemship which have been in practice since time immemorial and to make such provisions for the smooth functioning of Bhowal Syiemship.

Now, therefore, in exercise of the powers conferred upon it as aforesaid and of all other power enabling it in that behalf hereby made and framed “The Administration of Bhowal Syiemship Rules, 2015” as follows: -

1. Short Titles, extent and commencement.

- (i) These Rules shall be called as The Administration of Bhowal Syiemship Rules, 2015.
- (ii) They shall apply to the whole of Bhowal Syiemship.
- (iii) They shall come into force at once.

2. Definitions: In these Rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them as follows: -

- (1) “Act” means the Khasi Hills Autonomous District (Nomination and Election of the Syiem, Deputy Syiem, Myntri, Basan and Rangbah Shnong of Bhowal Syiemship) Act 2008.
- (2) “Dorbar Shnong” means a village Dorbar comprising of all male adults of Khasi households who are the recognized residents of a village.
- (3) “Additional Subordinate District Council Court” means the Additional Subordinate District Council Court of Bhowal Syiemship constituted under the provision of the United Khasi-Jaintia Hills Autonomous District (Administration of Justice) Rules, 1953, as amended.
- (4) “Village Court” means a court of any village or group of villages within the jurisdiction of Bhowal Syiemship, duly constituted under the provision of the United Khasi-Jaintia Hills Autonomous District (Administration of Justice) Rules, 1953, as amended.
- (5) “Executive Dorbar Shnong” means a committee comprising of the Rangbah Shnong or Headman together with some male elders as may be constituted by a Dorbar Shnong of a village, duly confirmed and approved by the Syiem and Dorbar.
- (6) “Secretary Hima” means an official of the Dorbar Hima with adequate knowledge and experience in the affairs of the Hima, duly appointed from among Khasi adults and assigned with such designation by the Syiem and Dorbar, who is also a member of the Dorbar Hima.

- (7) “Shnong” means a village having clear boundary mark with human habitations and economic activities duly recognized and confirmed by the Syiem and Dorbar and approve by the Executive Committee.
- (8) “Secretary Shnong” means an adult Khasi male who is a resident with knowledge in the administration of a village, duly appointed and assigned as such by the Dorbar Shnong concerned and recognized by the Syiem and Dorbar.
- (9) “Rules” means the Administration of Bhowal Syiemship Rules, 2015.
- (10) “Market” means business as well as place of business within the territorial area of Bhowal, where persons are allowed for transactions of business either daily, weekly or bi-weekly for sale or purchase of goods for transaction inside or outside the Syiemship and include hats, bazaar, fare and melas. Market may be private market or Syiemship market.
- (11) “Customary Tolls” means a collection of tolls from all produce or goods meant for business purpose and transport within or outside the Syiemship as may be determined by Dorbar Hima and include a Musur/Royalty, a Bainguh Syiem, a Khajna- ri-jingri.
- (12) “Ka Bainguh Syiem” means a customary toll levied on every carrier of goods transacted or passing through the Syiemship as a token of respect to the Syiemship.
- (13) “Ka Musur” means a customary toll levied on all goods or merchandise entering into the Syiemship markets or which are transacted outside the Syiemship markets.
- (14) “U Synniang u Bynhei” means a voluntary contribution either in cash or in kind by ki Khun ki Hajar and all other residents of the Hima towards the fund of the Syiemship in time of need such calamity reliefs, ceremonial rituals and other purposes duly authorized by the Dorbar Hima.
- (15) “House Tax” means a toll collected annually for settling in the land of the Hima by subjects or non Khasi.
- (16) “Khajna- ri- jingri” means a customary toll on animals kept or reared in the Hima for commercial purpose with amount as may be determined by the Syiem and Dorbar.
- (17) “Nerik” means the rate/amount of customary toll as may be prescribed by the Syiem and Dorbar and approved by the Dorbar Hima.
- (18) “Lynti Shnong” means a public road or footpath use by the Nongshong Shnong (villagers) and other persons and recognized as such by the village Dorbar and includes a “Kharai”.
- (19) “Goods” means commodities or merchandise or wares including minerals and forest products transports by road or any form of transport.

- (20) “Land” means any part of the earth’s surface or immovable property which includes benefits arising out of land, and things attached to the earth or permanently fastened to anything attached to the earth and any right in or over it.
- (21) “Mulor” means the recognized Headman of a locality inhabited entirely by non-Khasi but he is not an elector and member of the Dorbar Hima falling under the direct administrative control of the Syiem and his Dorbar. The Mulor will remain in office during the pleasure of the Syiem and his Dorbar.
- (22) “Rangbah Shnong” means a traditional Headman of village having the same power as a Sordar who is elected as per the provision of the Act and these Rules.
- (23) “Appropriate Authority” means and includes authority under the Central or State Governments including the District Council.
- (24) “Bar Jylla or Dkhar” means any person who does not belong to the Khasi community excluding a Garo resident within the territorial jurisdiction of Bhowal Syiemship before the commencement of this Rules.

3(a). The Syiem clan which is eligible to be the Syiem, Deputy Syiem, or Acting Syiem of Bhowal according to prevailing custom and tradition followed from ancient time is the Nandah clan who are the descendants from the rightful womb of “Ka Kruh”.

3(b). Election and qualification for the Office of Syiem, Acting Syiem and Deputy Syiem:

(1) In addition to the qualifications provided in the Act, a candidate Syiem or Acting Syiem including Deputy Syiem should be a genuine resident of the Hima who reside and settle permanently in any recognized village of the Syiemship and: -

- (i) He is well conversant with the customary laws, practices and usages in vogue in the Syiemship.
- (ii) He is well acquainted with the territorial, judicial and administrative system of the Syiemship.
- (iii) He observes and is governed by Khasi matrilineal system of lineage, the Khasi Laws of inheritance and succession.
- (iv) He is able to read, write and speak the Khasi language.
- (v) He must not be lame, deaf, dumb, blind man or in any manner physically handicapped.

(2). In case of any vacancy in the Office of Syiem, the recognized elders of the Syiem clan may convene emergent meeting to nominate a candidate for Acting Syiem who fulfills the requisite qualifications as aforesaid and forward the resolution of such meeting to the Executive Committee for appointment as per provisions of the Act and under these Rules.

Election of Syiem must be held at the earliest in consultation with the Dorbar Hima and the elders of the Syiem clan. The date of election must be notified at least 30 (thirty) days and the candidate Syiem must be recommended by Syiem clan concerned. The electors comprise of the Khasi adult male of the Syiemship which includes the Myntri, Basan and Rangbah Shnong whose names have been duly recognized by the Syiem and Dorbar and confirmed by the Executive Committee. The election should be held in the Office of the Hima at Mawpen and is determined by secret ballot on a simple majority of the electors who are physically present on the date and time fixed for the election.

3 (c) . Election and qualification for the office of Myntri, Basan and Rangbah Shnong:

(1) An adult Khasi male may be appointed as a Myntri or Basan or Rangbah Shnong whenever vacancy arises, as the case may be, and in addition to provisions of the Act, must also fulfill the following qualifications: -

- (a) He observes and is governed by Khasi matrilineal system of lineage.
- (b) He is a permanent resident of a village for which he desires to be the Rangbah Shnong.
- (c) He bears a good moral character and commands social respect in the village or Syiemship.
- (d) He is well acquainted with the customary laws, practices and usages in vogue in the Syiemship.
- (e) He is well acquainted with the territorial, judicial and administrative system of the Syiemship.
- (f) He must not be lame, deaf, dumb, blind man or in any manner physically handicapped.
- (g) A Myntri or a Basan must be elected / nominated by the Dorbar Kur of the Myntri or Basan clan concerned, and a Rangbah Shnong by the Dorbar Shnong concerned, as the case may be.

- (2) A Myntri or Basan is elected by the Dorbar Kur comprising of the recognized adult members of the Myntri or Basan clan, duly approved by the Syiem and Dorbar. Election may be held on any convenient place within the Hima, as may be agreed upon by Syiem and Dorbar and Rangbah Kur/Elders of the clan, with not less than 20 (twenty) days public notice. The result shall be determined on simple majority of the members who are present and participated in the election. Requisite fees may be as prescribe by the Hima and the result is declared by the Office of the Syiem immediately or not later than two days from the date of election.
- (3) A Myntri or Basan may remain in Office as long as he enjoys the confidence of the majority members of the Myntri or Basan clan concerned. However, he may be removed or placed under suspension by the Syiem and Dorbar, in case of a written complaint on valid grounds or if he violates any of the terms and conditions prescribed in the Sanad or if he has lost confidence of the majority in a referendum. Provided that, a Myntri or Basan will not be punished by suspension or removal without giving him an opportunity of being heard.
- (4) A Rangbah Shnong is elected by the khasi adult residents of a village as electors duly confirmed by the Syiem and Dorbar. A list of the eligible adult members of the village who possess EPIC is prepared, with not less than 15 (fifteen) days public notice to all households for information and for claim and objection. When the voter list is finalized, the Syiem and Dorbar shall, after consultation with village elders concerned, call for nomination and scrutiny of candidate, then fix the date and time and appoint the official to conduct the election with not less than 7 (seven) days public notice. The election is conducted, as per custom, within the village and is determined by counting of heads or as may be agreed upon and the result is declared on basis of simple majority of the voters who are present and participated in the election. The Syiem and Dorbar shall, as per custom take all necessary steps as deem necessary such as requisite fees as may be decided by the Dorbar and if there is only one candidate, may declare the result immediately or not later than two days from the date of election and issue appointment order (Sanad) with intimation to the Executive Committee.

Any person aggrieved of the order of the Syiem may file an appeal before the Executive Committee within thirty days along with prescribed fees.

4. Powers and Functions of the Dorbar Hima and the Executive Dorbar Hima: -

The Syiem is the Traditional Head of Bhowal Syiemship since time immemorial. He is assisted by the Executive Dorbar in the day-to-day administration of the Hima with some Myntri, Basan and some Rangbah Shnong/elder as may be nominated by the Syiem.

- (1) The Dorbar Hima is the highest and final authority for policy decision in all matters concerning the Syiemship. All important decisions pertaining to the interest and welfare of the Syiemship such as any action affecting the territorial area of the Hima, lease or mortgage of any land or immovable property of Hima and policy matters involving customs are always discussed and decided in the open Dorbar. Dorbar Hima must take all necessary step to protect and safeguard customary laws and practices prevailing in the Syiemship.

A Dorbar Hima comprises of the Syiem, the Deputy Syiem, Myntri, Basan and Secretary Shnong if the Rangbah Shnong is not able to attend. However, the Syiem and Dorbar have a discretionary right to invite any Elders of Hima Bhowal to attend and to participate in the Dorbar Hima.

- (2) The **Dorbar Hima** is convened at least once a year preferably in between the last week of March or the first week of April of each year. However, on the advice of the Executive Dorbar, a special Dorbar Hima may be convened whenever urgency arises. The date and time of the Dorbar must be informed to all members not less than 15 (fifteen) days along with the agenda. No party system is allowed and matters placed in the Dorbar are taken by unanimous decision or by simple majority of the members present. Participation in a Dorbar is practically acted out by standing and speaking one at a time. Shouts of exultations or indecent attempts to put down the orator of the opposites party are forbidden. All resolutions and decisions of the Dorbar are recorded in writing in a register alongwith the names and signatures of the members who have attended the Dorbar. Khasi is the official language; however, local Khasi language spoken in any village within the Hima may be used for discussion in a Dorbar. The composition, quorum etc. of the Dorbar must not be less than one half of the member or as may be determined by Dorbar Hima. The Syiem/Acting Syiem as Chairman has all necessary powers to maintain the decorum and sanctity of the Dorbar and may order persons who disturb or use foul languages under the influence of liquor to be debarred and removed from the Dorbar with fine as may be decided.

- (3) **The Executive Dorbar Hima** or the **Dorbar Syiem** comprises of the Syiem, Deputy Syiem, Myntri, Basan and some Rangbah Shnong /Elder of the Hima along with the Secretary Hima as may be constituted by the Dorbar Hima and approved by the Executive Committee. The Executive Dorbar exercises all executive functions in the day-to-day administration as may be authorized and sanctioned by the Dorbar Hima. The quorum of the Executive Dorbar must not be less than one half of the total members. It is convened at least once in three months or as may be necessary and is generally presided by the Syiem or Acting Syiem. The members shall be intimated of the date and time of the meeting along with the agenda not less than three days. The members present in the Dorbar must sign in the register maintained for the purpose alongwith the records and proceeding which must be confirmed by the Dorbar Hima.

The Executive Dorbar is responsible to formulate the policy of the Hima and prepare the annual budget to be placed in the Dorbar Hima for discussion and decision. Decisions duly approved by the Dorbar Hima are implemented by the Executive Dorbar such as appointment order (Sanad) with terms and conditions to all Myntri, Basan and Rangbah Shnong within its jurisdiction, duly elected or nominated as per customs and the provision of the Act and Rules with intimation to the Executive Committee. All order and decisions must be signed by the Syiem or Acting Syiem with official seal and designation or as may be determined by the Dorbar Hima.

- (4) The Syiem or Acting Syiem along with the Executive Dorbar is collectively responsible for all executive actions pertaining with the affairs of the Hima. The successors Syiem or Acting Syiem shall honour the decisions/resolution undertaken by the predecessor Syiem or Acting Syiem in any matters pertaining to the welfare of the Syiemship. The Syiem or Acting Syiem in Office cannot unilaterally take any important decision without the knowledge of the Executive Dorbar duly authorized by Dorbar Hima.

- (5). Power for recommendation and attestation of document, etc:

(a) The Syiem or Acting Syiem and the Deputy Syiem have as per the customary practice in-vogue, the power and right for recommendation and attestation of documents.

(b) Any Myntri or Basan or Rangbah Shnong of Bhowal Syiemship duly elected and appointed as such under the provisions of the Act and these Rules, shall as per customary practices in-vogue, have the right and power to recommend or to issue residential certificate (V.R.C) and No Objection Certificate to the local residents / villagers who reside in their respective villages or areas for any purpose.

(c) No village residential certificate (VRC) shall be issued to a 'Dkhar' without the prior approval from the Syiem and his Dorbar.

5. Village Administration: Hima Bhowal comprises of many villages which are the basic components at the grass root level. Each village must be recognized by the Syiem and Dorbar and has a Rangbah Shnong with Dorbar Shnong which function within the respective territorial jurisdiction as per prevailing custom or as may be decided by Dorbar Hima.

- (1) All recognized villages have a Dorbar Shnong with a Rangbah Shnong as the Head, duly constituted as per custom and recognized as such by the Syiem and Dorbar. Only a Khasi male head/male adult is eligible to participate in the Dorbar Shnong at least once a year or as may be necessary with not less than 15 (fifteen) days public notice. A meeting of a Dorbar Shnong is normally presided by a Rangbah Shnong as the case may be and each village administration jurisdiction shall be put into record in the Kashari in the form of a registration.

In case of an emergency, the Syiem and Dorbar may authorize the Executive Dorbar of the village to convene a village Dorbar with not less than 3 (Three) days of public notice.

- (2) The Dorbar Shnong is the Supreme authority in all matters concerning the village and comprises of all adult head of households. No party system is allowed in the Dorbar and all village affairs are discussed in open Dorbar and a deliberated decision is normally arrived on consensus or on simple majority of members present. Not less than one third (1/3) of the members present in the Dorbar must constitute the quorum. Khasi is the official language even though Khasi language spoken in the village may be allowed for discussion in a Dorbar. All decisions and proceedings of the Dorbar must be recorded in a register maintain for the purpose with signatures of the members present. A Dorbar Shnong is the final authority in taking any decision for the welfare of the villagers through open Dorbar. Persons who disturb or use foul language are debarred from Dorbar with fine as may be imposed by the Dorbar Shnong.

- (3) Composition and function of the Executive Dorbar Shnong – The Executive Dorbar shall be compose of not less than 9 (nine) members in a small village having below 50 households, 15 members in a medium village of below 100 households, and 21 members in a big village of 100 households and above where the quorum shall be $\frac{1}{3}$ of the total members. The Executive Dorbar shnong is empowered to implement the resolutions and decisions of the Dorbar Shnong, to plan developmental activities, to prepare reports to be presented in the annual Dorbar Shnong, etc.
- (4) (i). All functional committees of a village such as the Executive Dorbar, the Local Committee etc. constituted by a Dorbar shnong, may remain in force for a period of three years from the date of approval, provided that the Rangbah Shnong as head of the Committee remains the same
- (ii) The Local Committee shall be composed of 5 members in a small village and 11 members in a big village. The quorum shall be $\frac{3}{4}$ of the total members. Its function is mainly to implement developmental works granted by the Government or financial agencies.
- (iii) Village Court shall consist of three members in a small village and five members in a big village or group of villages. The village court takes up judicial decision arising in a village concerned, and is constituted and functions as per provision of the United Khasi-Jaintia Hills Autonomous District (Administration of Justice) Rules, 1953, as amended.
- (5) Non Khasi villages which is looked by a Mulor, are under the direct control of the Syiem and Dorbar. However, Functional Committee as provided in sub Rules 4 (i) & (ii) above, may be constituted in such Non-Khasi villages and approval of such committees by the Syiem and Dorbar is mandatory as per prevailing custom and the provision of the Act.
- (6) A duly appointed Rangbah Shnong of a village function under its jurisdiction and execute all decisions of the Dorbar Shnong. All official orders and decisions of a Dorbar Shnong are issued and must bear the seal and designation of the Rangbah Shnong on behalf of the Dorbar Shnong and not in the individual capacity. Any order issued by a Rangbah Shnong in his personal capacity without the decision of a Dorbar Shnong shall be deemed as illegal and it has no effect.
- (7) A Rangbah Shnong may hold office as long as he enjoys the confidence of the majority residents of the village concerned and he is eligible for re-election, provided that he may be

removed or suspended by the Syiem and Dorbar in case of written complaint or if he violates any of the terms and conditions prescribed in the Sanad. However, a Rangbah Shnong may not be punished by suspension or removal without giving him an opportunity of being heard and in case of dispute, the Syiem and Dorbar may conduct a referendum in the village concerned with not less than 7 days public notice.

(8) A Rangbah Shnong who has lost the confidence of the majority of the residents of the village must hand over all properties of the village to the Secretary Shnong. A new Rangbah Shnong is elected in presence of the Officials of the Hima as per rule above. If for any reason a regular Rangbah Shnong cannot be appointed, the Syiem and Dorbar may in consultation with the villagers appoint an Acting Rangbah Shnong from the elders of the village. There must be handing and taking over charge of the property/materials of the village by the preceeding Rangbah Shnong to the succeeding Rangbah Shnong in the presence of the elders of the village with a report before the Dorbar shnong and information to the Syiem and Dorbar.

(9) A Mulor of the non inhabited Khasi villages within the territorial jurisdiction of Bhowal Syiemship shall remain in office during the pleasure of the Syiem and his Dorbar.

(10) In a village where Khasi community (U Khun u hajar) and non – Khasi (U Khun u raiot) are residing, a Rangbah Shnong as the case may be, shall be elected from amongst the resident belonging to Khasi community only.

(11) A Rangbah Shnong should maintain and preserve all records pertaining to a Dorbar Shnong. He is responsible for the daily affairs in the village in close coordination with the Executive Dorbar Shnong. He represent the Dorbar Shnong and so has to function according to its decisions and is accountable in any matter concerning the village.

(12) As per the prevailing customs which have been in practice in Bhowal Syiemship, formation of any new village must be confirmed by the Syiem and his Dorbar on the recommendation of the parent village or as may be determined by the Syiem and his Dorbar. The parent village, must in case of bifurcation of a locality or Dong /Kyntoit into a separate village, give written consent along with the decision/resolution and a clear boundary mark duly confirmed by the Syiem and his Dorbar and approved by the Executive Committee under the provisions of the Khasi Hills Autonomous District (Administration of Elaka) Act,1991, as amended.

6. Financial function including preparation of Budget and Maintenance of Account: -

- (1) The Syiem and Dorbar should prepare the annual budget of the Syiemship indicating there in the anticipated receipts and expenditures for a given financial year accruable from all revenue sources of the Syiemship. The *preparation of Budget and Maintenance of Account* of the Hima is as adopted by the Khasi Hills Autonomous District Council.

The Syiemship have the right to accept any form of funding either from the Executive Committee, the State or Central Government or any other Agency/Institution and incorporate the same in its Budget.

- (2) All fund of the Syiemship must be kept in a joint account in any recognized Bank to be operated by the Syiem or Acting Syiem with the Accountant of the Hima. A maximum cash in hand for an amount of Rs. 10,000/- may be placed at the disposal of the Syiem and Dorbar for emergency expense.
- (3) All receipt and expenditure must be audited regularly and annually by authorized officials and if necessary by an external auditor as decided by the Syiem and his Dorbar. The audited report must be placed for discussion in the Executive Dorbar and to be approved by the Dorbar Hima.
- (4) Each village has its own fund with proper records of all receipts and expenditure which is normally reported before the Dorbar Shnong once in a year or as deem necessary. Any payment pertaining to the affairs of the village including honorarium to Rangbah Shnong and members of the Dorbar may be as decided by the Dorbar Shnong.

7. Revenue Administration:

- (a) Collection of customary toll including market toll :- The Syiem and Dorbar have the right to collect a customary toll called “Ka Musur” and “Ka Bainguh Syiem” for all types of commercial goods, including Certificate of Origin (CO) on all forest produces at any revenue station authorized by the Syiem and Dorbar. Such revenue station may be set up on any route, road, footpath constructed by Government Department or Organization within the area of the Syiemship with intimation to the appropriate authorities concerned.

The Syiem and Dorbar may if required, obtain permission from the appropriate authority provided that the above proviso shall not apply for existing revenue collection in the Syiemship.

(b) The Syiem and his Dorbar have the right to erect check point at any exit point within the area of the Syiemship to protect and guard the territorial area including checking the entry and exit of illegal items/goods such as bootleggers as well as checking of non-tribal infiltration to maintain the social, political and economic integrity of the Syiemship.

The above proviso shall not apply for the existing customary toll gates/revenue stations which have been allowed by authority concerned before the commencement of these Rules.

(c) Notice inviting Tenders:- The right to collect customary toll and market tolls shall, as far as practicable, be settled by public auction through notice inviting tender. The Notice Inviting Tenders must be widely notified with not less than 15 (fifteen) days of the auction date with prior approval of the Executive Committee.

The lease of revenue of the Syiemship may be settled within the month of March to be effective from 1st April of each year. The highest offer will be the successful bidder and the lease amount be deposited in the account of the Syiemship in two installments. However, the Syiem and Dorbar do not bind themselves to accept or reject any or all tenders. Provided that if a situation so arises due to exigency of fund, the lease may be settled as decided by the Syiem and Dorbar with prior approval of the Executive Committee.

(d) The Syiem and Dorbar have the right to establish any Syiemship market(s) within the Syiemship and regulating of such markets including the levy and collection of customary tolls on the entry of good into such markets is under the administrative control and management of the Syiem and his Dorbar, in accordance with the provision of the Khasi Hills District (Establishment, management and control of market) Regulation 1979, as amended.

The market tolls of all markets within the jurisdiction of Syiemships are as prescribed by the Syiem and Dorbar and such rate be published for general information with intimation to Executive Committee.

The different rates of toll or taxes may be prescribed for different market and which shall be enforced until further revised or modified by the Executive Dorbar.

Further no market/customary toll are collected in respect of essential commodities meant for personal consumption.

(e) As far as regulation, management and control of forest is concerned, the Syiem and his Dorbar shall implement/apply the relevant provision of the United Khasi-Jaintia Hills Autonomous District (Management and Control of Forests) Act, 1958, as amended.

(f) An appeal against any order passed by the Syiem and Dorbar under these Rules shall lie to the Executive Committee. Such appeal shall be filed within 30 (thirty) days from the date of receipt of such order alongwith the appeal fee as may be prescribed.

The Executive Committee may condone the period of 30 (thirty) days if there is sufficient and reasonable reasons.

(g) All Khuti-Wala who keep and rear cattle mainly for the purpose of business within any area of the Syiemship shall have to pay the “Khajna Ri Jingri” as may be prescribed by the Syiem and Dorbar.

8. Land Administration: All land within Bhowal Syiemship are classified as “Ri Kynti” or “Ri Kur” owned by private party or clan and “Raid land which is exclusively under the management and control of the Syiem and Dorbar.

(a) The Syiem and his Dorbar have the customary right to register land and to issue land holding certificate of all land situated within the territorial jurisdiction of the Syiemship on payment of a nominal prescribed fee. Registration of any land and issuance of land holding certificate or No Objection Certificate within the Syiemship must be done only after causing a spot enquiry by an authorized official or a written recommendation of the Rangbah Shnong in which the land is situated in presence of land owner. The Syiem and Dorbar shall on application issue certificate on basis of the report/recommendation alongwith a nominal fee as may be prescribed by the Syiem and Dorbar.

Public notice of not less than 30 (thirty) days be displayed in the Office of the Hima and within the village, where the land is situated for claim and objection.

(b) No land situated within the Syiemship shall be transferred by way of lease, sub-lease to non tribal including Company without the knowledge and approval of the Syiem and Dorbar.

9. Miscellaneous:

(a) Any amendment of these Rules must be decided by the Dorbar Hima convened for the purpose with at least 30 days public notice which shall be discussed and passed by a majority of not less than $\frac{3}{4}$ of the members present. No additions or deletions of these Rules shall be made without the decision of the Syiem and Dorbar Hima.

(b) As per custom, any complaint against a Syiem must be brought to the knowledge of the Dorbar by a Myntri or Basan or Rangbah Shnong which shall be discussed in the Dorbar convened for the purpose. A Myntri or Basan or Rangbah Shnong or natives of the Syiemship cannot directly complain against a Syiem or the functioning of the Dorbar without the knowledge or discussion in the Dorbar Hima or Dorbar Syiem. Violation of these provisions by any persons who claim themselves as self styled Myntri or Basan or Rangbah Shnong and misuse of official seal of any duly appointed Myntri or Basan or Rangbah Shnong is treated as a criminal act, and stern action shall be taken against him/her as the Syiem and Dorbar may decide.

(c) No intoxicating drinks/items such as liquor (local made or IFML, etc.) shall be made or brought for sale within any village or market within the jurisdiction of the Syiemship, without a license/no objection certificate issued by the Syiem and Dorbar.

(d) No Private individual non-tribal or Bar Jylla or group including firms or companies or Association or Organization or any societies is allowed to carry out any business/work or to set up Factories/Industries or open up Bonded Warehouse, Wine Stores, Playwin, Teer Counter (Thoh team), Online lottery, Jack Pot, Video/Cinema Hall, etc including Fete, Mela, festivals, competition or any function within any area under the territorial jurisdiction of Bhowal Syiemship without obtaining prior permission from the Syiem and Dorbar. This provision may apply to the Khasi community as may be decided by the Syiem and his Dorbar.

Benami transaction of any form is strictly prohibited and any violation be punished as per law or as may be decided by the Dorbar Hima.

(e) No land owners/land holders shall create obstruction in any manner along existing ‘Lynti Shnong’ duly recognized as such within any village of the Syiemship.

(f) Non Tribal traders or labourers shall have to furnish the identity proof as may be prescribed or required by the Syiem and his Dorbar such as Election Photo Identity Card, Police verification, etc.

(g) Non-Tribal is not allowed to permanently settle within any area under the territorial jurisdiction of Bhowal Syiemship without valid documents issued by the Syiem and Dorbar.

10. Powers of the Executive Dorbar: - Any affair or matter of the Syiemship which does not come within the specific operation of these rules or other rules shall be decided separately by the Executive Dorbar or Dorbar Hima as the case may be, which is inclusive of the imposition of fines, violation of these rules or laws, Act, enactment, ordinance, rules, regulation, bye-law, order, notification, scheme or other existing instruments.

Certified that the Administration of Bhowal Syiemship Rules 2015 was passed by the Syiem and Dorbar of Bhowal Syiemship on the 26th April 2015 and approved by the Executive Committee, Khasi Hills Autonomous District Council.

Executive Member i/c Elaka etc.,
Khasi Hills Autonomous District Council.
Shillong.



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PART IIA

GOVERNMENT OF MEGHALAYA

REVENUE AND DISASTER MANAGEMENT DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 3rd June, 2015.

CORRIGENDUM

No.RDA.15/2012/170 - The proposal of land to be acquired for construction of 2 Laning Shillong-Nongstoin Section of NH-44 & Nongstoin Rongjeng-Tura Road-State Road under Phase "A" of SARDP-NE in respect of Land Acquisition Case No.6 of 2011 which was notified in the declaration under Section 6 of the Land Acquisition Act 1984 and published in the Gazette of Meghalaya dt. 09.05.2013 may please be read as 54B-3K-05L instead of 57B-0K-15L.

I. MAWLONG,

Deputy Secretary to the Govt. of Meghalaya,
Revenue & Disaster Management Department.